



Community Corrections Council

We're all working together; that's the secret. ~ Sam Walton

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The Need for Substance Abuse Treatment Programs to be Expanded

By Darrell Fischer, Executive Director of the Lincoln Council on Alcoholism and Drugs

At the state level, many states have received funds from the federal block grants for Residential Substance Abuse Treatment (RSAT) as part of the 1994 Violent Crime Control and Law Enforcement Act. This act calls for states receiving funding to rely on findings from the scientific literature to guide them in the development and implementation of treatment programs.

In a study of Maryland's RSAT program in 2000, several interesting factors were revealed. First is the recognition that it is important to match a person's stage of change (i.e., the extent to which the client recognizes that he or she has a problem and is motivated to make changes in his or her behavior) to type of treatment modality. Second, the major components of the program emphasize developing cognitive and social skills and increasing individuals' self-efficacy. Further, the RSAT program encourages individuals to participate in peer groups in order to "heighten individual awareness of specific attitudes or behavioral patterns to be modified" (Taxman, Silverman and Bouffard, 2000).

The Maryland RSAT program, and other institutional-based programs, closely follows recommendations that call for

correctional managers to implement programs grounded firmly in seven important areas from a cognitive-behavioral framework:

1. Implementing a psychoeducational component (awareness of the problem and the negative consequences of substance-abusing behaviors)
2. Identifying high-risk situations for relapse and the warning signs of relapse
3. Developing appropriate coping skills
4. Developing new, pro-social lifestyle behaviors
5. Increasing self-efficacy
6. Dealing with relapse when it occurs
7. Monitoring closely drug and/or alcohol use

For the reader's information, there was similar evaluation conducted on Idaho's RSAT program in 1999. This evaluation and analysis revealed that inmates selected to participate "*indicate(d) that the inmate participants in this RSAT program generally perceived it in a positive light. Moreover, those with the most serious pattern of alcohol abuse and those who are heavy substance abusers* (those who drink three to five drinks per day or get drunk daily and/or

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Council forms Evaluation and Research Steering Committee

By Mike Dunkle, Systems Analyst, Nebraska Commission on Law Enforcement and Criminal Justice

The Community Corrections Council has formed an Evaluation and Research Steering Committee, comprising researchers and data management personnel from the Department of Correctional Services, the Office of Probation Administration, Adult Parole Administration, the Courts, the Nebraska Commission on Law Enforcement and Criminal Justice, and Council staff.

The goal of the Steering Committee is to document and report on community corrections program quality and impact, thereby enhancing the ability of the Council to improve programs and better allocate resources. The Steering Committee will also support the inclusion of evidence-based practices into Nebraska's community corrections programs.

The Steering Committee will focus on improving data and data reporting systems among its constituent members, and ensure that the evaluations and research conducted by its membership meets standards for quality and informativeness. Moreover, by including representatives from each of the statewide organizations which participate in community corrections, the individual steering committee members and the Council expect to benefit from the opportu-

nity to draw upon the diverse knowledge and expertise of its participants.

Current Steering Committee Membership includes:

Scott Carlson, Drug Court Coordinator, Nebraska Supreme Court

Joan Dietrich, Information Systems Specialist, Probation Administration

Mike Dunkle, Systems Analyst, Nebraska Commission on Law Enforcement and Criminal Justice

Anne Hansen, Deputy Parole Administrator

Steve King, Department of Correctional Services, Planning

Linda Krutz, Executive Director, Community Corrections Council

Mike Overton, Information Services Division Chief, Nebraska Commission on Law Enforcement and Criminal Justice

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Community Corrections Council

A One Stop Shop for Services and Supervision

By Deb Minardi, Deputy Administrator, Community- Based Supervision, Programs and Services, Office of Probation Administration

Think of a hospital and you think of an array of services from emergency, to surgery, long term care and child birth. Go to a mall and you will find a variety of stores to meet your needs. These concepts parallel how reporting centers work.

Reporting centers are a unique blend of structured programming and services which combined with high levels of officer engagement, create an optimum environment to effectuate criminal behavior change. As a result of an Officer's ongoing involvement in the center and its' programming, they are able to continually evaluate the attitude and performance of an offender. The reporting center culture is created whereby every staff member and service provider is equally responsible for every offender. This integration equips offi-

cers to quickly identify positive progress towards a change in lifestyle or intervene immediately should an offender begin to slip back into old behavior and be at risk to recidivate.

Akin to a hospital or mall, each center has its own unique features. A common thread amongst the centers include GED, employment preparedness, cognitive behavior change

"The reporting centers eliminate obstacles which often interfere with a probationer's ability to attend programs designed to help the probationer learn new ways to think and act. One of the best ways to achieve the goal of reducing the need for more and bigger prisons is increased use of probation reporting centers."

Judge James E. Doyle,
Judicial District 11 &
Problem Solving Court

and pretreatment groups while other services are specifically designed to meet the distinctive community population. Collectively, a total of **60** programs and services are currently offered throughout the centers. Each time an offender walks through the door they are engaged in a service(s) and simultaneously supervised. This occurred **103,378** times in 2009 throughout the seven centers. Supervision at this intensity is virtually impossible under old traditional supervision models. Understandably, reporting centers have quickly become a vital component of community-based supervision.

To see pictures of Reporting Centers in action visit:

http://ccc.nebraska.gov/reporting_centers.html

Special Session Budget Reductions and Cash Fund Transfers

By Jeff Beaty, Policy Analyst, Community Corrections Council

The Nebraska legislature met in special session from November 4th through November 20th, 2009. The session was called to make adjustments to the 2009-2011 biennial budget to address a projected \$334 million dollar revenue shortfall over the next two years due to the recession. The Governor and Legislature worked together to develop a package of cuts and cash fund transfers to balance the budget. A 2.5 percent across the board cut was implemented for all state agencies for fiscal year (FY) 09-10 and a 5 percent cut imposed for FY10-11. Many cash funds carrying balances, including the Uniform Data Analysis Fund and the Probation Program Cash Fund, also saw a portion of the balance transferred to the general fund. These cuts affected the Council and its partners and will impact the programs supported by the Council. A summary of the special session reductions is provided.

GENERAL FUND REDUCTIONS

	FY 2009/10 2.5% Cut	FY 2010/11 5% Cut	Total Reduction
Council Operations	\$8,111	\$16,645	\$24,576
Voucher Program	\$47,864	\$96,577	\$144,441
Reporting Centers	\$34,971	\$70,561	\$105,532
Specialized Courts	\$54,844	\$110,661	\$165,505

CASH FUND TRANSFERS TO GENERAL FUND

	FY 2009/10 Transfer	FY 2010/11 Transfer	Total Transfer
Uniform Data Analysis Fund	\$12,914	\$21,364	\$34,278
Probation Program Cash Fund	\$237,274	\$479,572	\$716,846

Word from the Council

By Darrell Fischer, Executive Director of the Lincoln Council on Alcoholism and Drugs

I have been a member of the Community Corrections Council since April, 2009. While attending the very first meeting, I was struck by the experience and expertise which had been assembled on the Council; members from nearly each branch of government, plus correctional and private sector experts all of whom brought a wealth of knowledge, skills and abilities to bear on the mission *to provide for the development and establishment of community corrections programs across the state, and to encourage the use of such programs as alternatives to incarceration with the objective of reducing prison overcrowding, and serve the interests of society by reducing recidivism through effective treatment and supervision of offenders in the community.*

Trying quietly to examine and appreciate all this expertise around the table, I asked myself, "What are you doing here? What could you possibly contribute that all this assembled experience and expertise has not already thought of?" Those insecure thoughts nearly paralyzed me for the

first couple of meetings, but all the members and CCC staff were very welcoming, warm and friendly.

My specialized training during my adult years has been in the physiological and pharmacological effects of drugs and alcohol upon the human body. The company I currently lead is heavily involved in alcohol and substance abuse evaluations, a precursor to treatment. It is my sincere hope that I can parlay some of this past and present experience to assist the Council in expanding current programs and developing other treatment programs as alternatives to incarceration.

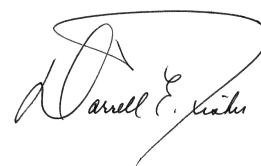
The theories of treatment programs associated with substance addicted individuals, and the subsequent research, reveal that a great deal of work has gone into this particular area of study. The literature reviewed here spans six decades, and the treatment community now has reliable evidence on which to base approaches to treating this social problem. Beyond the scope of this work are such issues as the availability of treatment in some communities and the costs of treatment to clients.

Data suggests that only slightly more than eight percent of the general population who self-describe themselves as having a problem with drugs and/or alcohol report receiving treatment for that problem. It is not reaching, then, to assume that lack of availability of treatment programs in local communities, coupled with the sometimes high, and for some, out-of-reach costs of substance abuse treatment, might be correlated with the high number of individuals who are not being treated.

As difficult as it might be for substance-addicted individuals in the community to obtain treatment needed to assist them in refraining from abusing drugs and/or alcohol, the problem is exacerbated in the correctional setting. Data also shows that a majority of both state and federal inmates report that they have not received treatment for their substance abuse problems while incarcerated. In today's tight budgetary times, corrections administrators are faced with making critical decisions about where to allocate scarce resources. Sometimes substance

abuse treatment programs, just like any other type of prison program, are forced to take a backseat to other budget areas such as scarcity of daily care of the inmate population. However, the membership of the Community Corrections Council is committed to providing every possible assistance to develop and establish this valuable resource.

In these tight fiscal times, responsible, prudent leadership and direction is necessary to ensure the best possible community corrections programs and resources are provided to the offender population, while balancing the principles and values of public safety and solid fiscal stewardship. In this I am certain, the Community Corrections Council, with its committed and dedicated membership, will undoubtedly take the lead in the establishment of these programs.



Governor Appoints Three New Members to the Council

In October 2009, Governor Heineman appointed three new members to fill the vacancies in the Community Based Behavioral Health Services and Mental Health and Substance Abuse representatives for the Community Corrections Council.

Frank Peak, Ph.D., M.S., is the Administrator for Creigh-

ton University Medical Center, Partnership in Health.

Peak brings a long history of community / political activism and social justice leadership to the Council.

Travis Parker, M.S., LIMHP, CPC, is the Deputy Director of the Community Mental Health Center of Lancaster County.

Parker developed Nebraska's first Jail Diversion Program in Lancaster County in partnership with the Lancaster County Jail and the Community Corrections Agency of Lancaster County.

Dallas Massey, LIMHP, LMHP, LADC, is a private practice psychotherapist in Scottsbluff, NE.

Massey has been a case presentation method evaluator for the state of Nebraska for the past 16 years.

The Council welcomes and looks forward to working with the new members.

Council Members

Scot Adams, Chair, Director,
Division of Behavioral Health,
DHHS

John P. Icenogle, Vice-Chair,
District Court Judge

Mike Behm, Executive Direc-
tor of Nebraska Commission
on Law Enforcement and
Criminal Justice

Esther Casmer, Chair, Ne-
braska Board of Parole

Senator Brenda Council,
Nebraska Legislature

Jeffrey Davis, Sarpy County
Sheriff

Eleanor Devlin, Executive
Director, NOVA Therapeutic
Community

Thomas Dorwart, Retired
County Judge

Ellen Fabian Brokofsky, Pro-
bation Administrator

Darrell Fisher, Executive
Director of the Lincoln Coun-
cil on Alcoholism and Drugs

Karen B. Flowers, District
Court Judge

Cathy Gibson-Beltz, Parole
Administrator

Robert Houston, Director,
Nebraska Department of Cor-
rectional Services

Joe Kelly, Chief Deputy Attor-
ney, Lancaster County

Robert Lindemeier, Criminal
Defense Attorney

Dallas Massey, LIMHP,
LMHP, LADC, Psychothera-
pist

Travis Parker, M.S., LIMHP,
CPC, Deputy Director, Com-
munity Mental Health Center
of Lancaster County

Frank Peak, Ph.D., Commu-
nity Outreach Services Admin-
istrator, Creighton University
Medical Center

Senator Pete Pirsch, Ne-
braska Legislature

Janice Walker, State Court
Administrator

Community Corrections Council

Community Corrections discussion in the 101st Legislature

By Jeffry Beaty, Policy Analyst, Community Corrections Council

January 6th marked the first day of the second session of 101st Legislature, which is set to run for 60 days and adjourn on April 14th, 2010. The bill introduction period, which ended on January 21st, saw Senators introduce 427 bills and 32 legislative resolutions. Below is a summary of four bills which affect the work of the Community Corrections Council and its partners, LB 864, LB 868, LB 913, and LB 955.

LB913 - Introduced by Senator and Council member Brenda Council, LB 913 regulates how state government treats criminal convictions in employment and licensing decisions. LB 913 prohibits a government employer from asking on the initial application if an individual has been previously convicted of a crime and the employer may only consider a criminal conviction once an applicant has become a finalist for the position. The act also prohibits arrest records and misdemeanor convictions from being considered in employment decisions. The purpose of LB 913 is to promote the re-entry and rehabilitation of offenders by removing barriers to employment for offenders reentering society.

LB 864 - Sponsored by Senator and Council member Pete Pirsch, LB 864 is the initial recommendation of the Legislature's Sentencing and Recidivism Task Force. LB 864 creates a duty for the Council to develop a plan for the expansion of reporting centers statewide and to submit such plan to the legislature by December 1, 2010.

At the January 29th legislative hearing on LB 864, Senator Pirsch offered a committee amendment which included two additional duties for the Council, to report annually to the legislature on the development of community corrections in Nebraska and to research and develop standardized definitions of outcome measures for community corrections programs.

LB 868 – Introduced by Speaker of the legislature Mike Flood, LB 868 is the Community Service Sentencing Act. LB 868 contains a number of provisions relating to and encouraging the use of community service as a sentencing option for offenders. The bill creates provisions by which cities, governmental agencies and non-profit organizations can establish community service programs which are approved by the local probation office. The bill provides civil immunity from liability for injuries to and the actions of offenders participating in community service and exempts community service programs from the Nebraska Workers Compensation Act. Lastly, LB 868 expands administrative sanction options for probation and expands the definition of a non-criminal violation of probation to include the failure to comply with rehabilitative programming.

LB 955 - Introduced by Senator Robert Giese, LB 955 proposes to allow the Department of Correctional Services and political subdivisions to seek reimbursement from offenders for the costs of their incarceration. Correctional facilities shall forward financial infor-

mation collected from offenders to the local prosecuting attorney who is directed to investigate and initiate civil actions against offenders with sufficient assets. Reimbursement is sought to recover the actual costs of incarceration up to a maximum of \$35 per day. When determining if an offender possesses sufficient assets, the court shall consider legal obligations of the offender to support family members and dependents as well as outstanding civil judgments against the offender. The costs of investigating and securing reimbursement from offenders shall be paid for from the reimbursements collected under the act and the remaining balance is to be credited to the state's general fund.

The Nebraska
Community Corrections
Council web-site has a
new look.

January 4, 2010 marked the release of a re-designed web-site for the Council. New additions include: interactive maps of Reporting Centers and Registered Service Providers for probation and parole clientele.

A cumulative listing of related links for Mental and Behavioral Health, Substance Abuse, Recovery and Reentry, and Criminal Justice aid interested parties in finding information from agencies across the United States.

Visit the web-site at
<http://ccc.nebraska.gov>.

Alternative Sanctions

By Cathy Gibson-Beltz, Adult Parole Administrator

Several years ago, Parole Administration began looking for ways to provide parolees the assistance they needed without necessarily revoking their parole long term. At the time, parole was looking at offenders who relapsed on alcohol and drugs and had already completed a primary treatment program while incarcerated in a Nebraska Department of Correctional Services facility.

Parole worked with behavioral health staff, including the staff at the Nebraska State Penitentiary Residential Treatment Community (RTC), and the substance abuse staff at Nebraska Correctional Center for Women (NCCW). As a result, the Parole Violator Program (PVP) was created. PVP provides services to parolees who have relapsed on drugs or alcohol while on parole and as-

sists the offender in identifying red flags and relapse triggers with the hope of maintaining sobriety in the future.

Substance abuse staff screens offenders for appropriate placement into this program. Though the offenders' parole is revoked as a result of the parole violation, once they successfully complete PVP, they are placed on "re-parole" status, providing an additional incentive for completing the program. Upon completion of PVP, the offender will normally go to a transitional living program that will support them in their sobriety. Parolee participation in the program also demonstrates to inmates in the regular program to not let "super optimism" be their relapse trigger. Other inmates can learn from the parolee's experiences.

With the success of PVP, another alternative sanction was developed with Parole Administration and the Nebraska Department of Correctional Services' Community Corrections Centers. This program is the Parolee Stabilization Program (PSP). Often, a parolee will be maintaining a fairly stable parole program when, for whatever reason, the program becomes unstable. This usually happens due to a job loss or loss of residence. In these cases, rather than strictly revoking the offender's parole and scheduling them for another Parole Review or Parole Hearing, the offender's parole is still revoked, but they are placed at a community center on "re-parole" status, pending verification of another approved residence or job, depending on each offenders'

unique situation. Again, this provides an incentive for the offender to find an appropriate job or residence.

While not all offenders who have participated in these programs have been successful, they provide additional options for offenders who want to make parole work for them. Ideally, Parole Administration would like to have the ability to place parolees in short term custody as a sanction for repeated parole violations. Such a program would truly be a half-way back program...but that is not currently an option. We do, however, have the two programs described here. Data is being collected for purposes of program evaluation on both PVP and PSP.

The Need for Substance Abuse Treatment Programs to be Expanded

~continued from page 1

those who got a fix every day) **are more positive about it.**" (*Substance Abuse Treatment with Correctional Clients*, 2005).

There is obviously a need for correctional treatment providers and criminal justice personnel to recognize that recovery from substance abuse is not perfectly linear. In fact, recovery often involves individuals vacillating between various stages of acceptance of their problem. These stages range from the precontemplation stage, in which the individual does not recognize that a problem exists, to the action stage in which the individual begins to devote a great deal

of time and energy into making behavioral changes, to the final maintenance stage where work begins on avoiding episodes of relapse (Prochaska, DiClemente, and Norcross 1992). In institutional or community-based corrections, the realization that recovery from substance abuse is a step-up/step-down/step-up process is critical yet is difficult to accept given the requirements of institutional rules or probation/parole conditions of supervision.

I won't debate whether alcohol and substance abuse addiction is a symptom of criminal activity. However, the evidence clearly indicates that drug us-

ers are more likely than nonusers to commit crimes, that arrestees frequently were under the influence of a drug at the time they committed their offense, and that drugs generate violence. Assessing the nature and extent of the influence of drugs on crime requires that reliable information about the offense and the offender be available and that definitions be consistent. In the face of problematic evidence, it is impossible to say quantitatively how much drugs influence the occurrence of crime.

With the vast majority of our prison population being non-violent offenders, and at least a sizeable portion of that popu-

lation requiring treatment for substance abuse, it would seem logical that current substance abuse treatment programs should be expanded. If alternatives to incarceration can be developed and established, coupled with treatment for those substance-addicted individuals, we can lower our prison population and subsequently lessen the need to build extremely expensive new prisons, not to mention the on-going costs of staffing those facilities.

State's Prison Population Below 136 percent

On June 2, 2009 the prison population in Nebraska reached 4,458 inmates. This represents 140.4 percent of the design capacity for the state's correctional institutions and is the threshold under Nebraska law whereby the Governor is notified and has the ability to declare an overcrowding emergency. In this instance, The Department of Correctional Services determined it was able to safely supervise the current population and no overcrowding emergency was declared by Governor Heineman. Efforts to parole eligible inmates and divert additional offenders from prison into alternative programs such as the Work Ethic Camp in McCook have been accelerated, however. As a result, the num-

ber of inmates housed within the Department of Correctional Services as of January 5th, 2010, was 4,338 or 136.6 percent of capacity, a reduction of 121 inmates since June. This reduction can be attributed in part to the increased use of parole and other community corrections alternatives. The Community Corrections Council will continue to work with the Department of Correctional Services to develop additional alternatives to incarceration for non-violent offenders and looks forward to expanding existing programs to help further reduce the state's reliance on incarceration while maintaining public safety.

Visit us at :

<http://ccc.nebraska.gov/>

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*Next Justice Behavioral Health Committee
meeting on March 10, 2010*

*Next Community Corrections Council
meeting on March 19, 2010*

COMMUNITY CORRECTIONS COUNCIL

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